

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES L. HENTHORN,

Petitioner,

v.

CASE NO. 2:09-cv-00069

JUDGE MARBLEY

MAGISTRATE JUDGE E.A. PRESTON DEAVERS

PHILLIP KERNS, Warden,

Respondent.

OPINION AND ORDER

On June 2, 2010, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

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s/ Algenon L. Marbley  
ALGENON L. MARBLEY  
United States District Judge